



UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: WU et al.

Date Allowed: December 23, 2003

Application Serial No.: 09/613,508

Examiner: G. Bugaisky

Filed: July 10, 2000

Art Unit: 1653

Title: Interleukin-1 β Converting Enzyme Like
Apoptosis Protease-3 and -4

Attorney Docket No.: PF140P1D1

TRANSMITTAL LETTER

MAILSTOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice Of Allowance and Issue Fee Due and Notice of Allowability mailed December 23, 2003, Applicants submit herewith: 1) Issue Fee Transmittal (Form PTOL-85) with appropriate fees noted (including \$1330.00 Issue Fee and \$15.00 fee for advance order of 5 copies of the issued patent); 2) Fee Transmittal with appropriate fees; and 3) amendment under 37 C.F.R. § 1.312.

Applicants point out that in the Notice of Allowability, the allowed claims do not correspond to the pending claims. More specifically, claims 54, 81, 107, 135, and 162 were cancelled in the Amendment and Reply Under 37 C.F.R. § 1.116 of July 3, 2003, therefore these claims should not be listed as allowed.


The Examiner indicates in the "Reasons for Allowance" that references AA and AB of form PTO/SB/08A, first submitted November 1, 2001, and resubmitted July 3, 2003, were not considered. More specifically, the Examiner states that, "Rosen et al. are not the inventors listed on application serial numbers 09/913293 and [09/913292]...." See Reason for Allowance, page 2, 3rd paragraph. Applicants acknowledge that, due to a clerical error, references AA and AB were listed with incorrect application serial numbers. Moreover, Applicants submit that the accurate serial numbers for references AA and AB are 09/912,293 and 09/912,292, respectively. Therefore, Applicants respectfully request that references AA

(09/912,293) and AB (09/912,292) be considered by the Examiner, and that the Examiner return an initialed copy of form PTO/SB/08A to Applicants.

No additional fee is believed necessary with the submission of this paper. In the event that an additional fee is deemed necessary in connection with this submission, please charge the required fee to Deposit Account No. 08-3425.

Respectfully submitted,

Dated: March 11, 2004


Joseph Schuller (Reg. No. 48,708)
Patent Agent for Applicants

Human Genome Sciences, Inc.
14200 Shady Grove Road
Rockville, MD 20850
Telephone: (240) 314-4400 ext. 2534